

1 NOT FOR PUBLICATION
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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 United States of America,
10 Plaintiff,

11 v.

12 Luis Fernando Zavala-Algander,
13 Defendant/Movant.
14

No. CV17-04707-PHX-SRB
CR15-01501-PHX-SRB
ORDER

15 Movant, Luis Fernando Zavala-Algander, filed a Motion to Vacate, Set Aside, or
16 Correct Sentence pursuant to 28 U.S.C. § 2255 on December 19, 2017. The United States
17 filed its response in opposition on May 21, 2018 and Movant filed a reply June 8, 2018.
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19 The Magistrate Judge filed the Report and Recommendation on July 18, 2018
20 recommending that Movant's Motion to Vacate, Set Aside, or Correct Sentence be
21 denied. In the Report and Recommendation, the Magistrate Judge advised the parties that
22 they had fourteen days from the date of service of a copy of the Report and
23 Recommendation within which to file specific written objections with the Court. The
24 time to file such objections has expired and no objections to the Report and
25 Recommendation have been filed.
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28 The Court finds itself in agreement with the Report and Recommendation of the

1 Magistrate Judge.

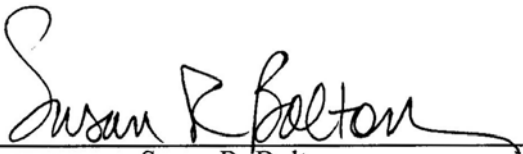
2 **IT IS ORDERED** adopting the Report and Recommendation of the Magistrate
3 Judge as the Order of this Court.
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5 **IT IS FURTHER ORDERED** denying Movant's Motion to Vacate, Set Aside or
6 Correct Sentence by a Person in Federal Custody pursuant to 28 U.S.C. § 2255.
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8 **IT IS FURTHER ORDERED** denying a Certificate of Appealability and leave to
9 proceed in forma pauperis on appeal because Movant has not made a substantial showing
10 of the denial of a constitutional right.

11 **IT IS FURTHER ORDERED** directing the Clerk to enter judgment accordingly.
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14 Dated this 20th day of August, 2018.
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20 Susan R. Bolton
United States District Judge
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